

FILED~~AO91 (Rev. 12/03) Criminal Complaint~~~~JUN 23 2020~~

UNITED STATES DISTRICT COURT

U.S. District Court
Texas Eastern

EASTERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA
v.

Jadelfrick Benton

CRIMINAL COMPLAINT

Case Number: 9:20MJ 20

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 5/22/2020 in Angelina County, in the Eastern District of ^(Date) Texas defendant(s) did,

(Track Statutory Language of Offense)

knowingly and unlawfully possess in and affecting interstate commerce a firearm, knowing he had been convicted of a crime punishable by imprisonment for a term exceeding on year,

in violation of Title 18 United States Code, Section(s) 922(g).

I further state that I am a(n) Special Agent, ATF and that this complaint is based on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part of this complaint: Yes No


Signature of Complainant

Jonathan Dickard

Printed Name of Complainant

Sworn to before me and signed in my presence,

6-23-20
Date

at Tyler Texas
City State

John D. Love
Name of Judge

Magistrate Judge
Title of Judge

JDL
Signature of Judge

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ARREST WARRANT

I, Jonathan Dickard, being duly sworn, depose and state that:

I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been so employed since March 2014, and I am currently assigned to the Tyler, Texas Field Office. Prior to my employment with ATF, I was a peace officer for the Tyler Texas Police Department where I was employed for approximately 4 and a half years as a commissioned law enforcement officer. During my employment at the Tyler Police Department, I was a SWAT Operator, Property Crimes Investigator and a Police Training Officer. I hold an Associate's Degree in Business from Tyler Junior College, a Bachelor's Degree in Business Administration from the University of Texas at Tyler, and a Master's Degree in Business Administration from the University of Texas at Tyler. I am also a graduate of the Federal Law Enforcement Training Center and the ATF National Academy.

As a result of my training and experience as an ATF Special Agent, I am familiar with certain federal criminal laws, and I know that it is a violation of Title 18, United States Code, Section 922(g)(1) for a person to possess a firearm when they have been convicted of a crime punishable by more than one year.

As detailed below, I believe that **Jadelfrick Benton**, B/M, date of birth of August 28, 1994, has violated federal law, including Title 18, United States Code, Section 922(g)(1). This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

During the course of this investigation, I know or have been made aware of the following:

1. On May 22, 2020, the Lufkin Police Department (LPD) received a call of a shooting that occurred at a residence in Lufkin, Texas. Lufkin, Texas is located in the Eastern District of Texas. Officers also responded to the CHI St. Luke's Hospital in Lufkin, Texas, where a victim of the shooting, Courtney Brown, was being treated for injuries. LPD arrived at the hospital and met with Courtney Brown. The LPD officers observed a single gunshot wound to Brown's forehead. Brown was alert and provided information about the shooting.
2. Brown stated that three black males came to her residence in Lufkin, Texas on May 21, 2020, and told her and her husband, **Jadelfrick Benton**, that they wanted money Brown and **Benton** owed them. Brown stated she did not know what the three black males were talking about and that she did not owe them any money. The three black males then stated they would be back the next day.
3. Brown stated on May 22, 2020, she, along with **Benton** and Derrick Wilson, were at her residence. At approximately 0300 hours, the same three black males came to the residence and started arguing with them over money in the driveway. Brown stated the three black males then started shooting at Brown, **Benton**, and Wilson. Brown stated she was struck in the head by one of the rounds. Brown stated she thought **Benton** fired back at the three black males.
4. LPD arrived at the residence and discovered several cartridge casings outside the residence.

LPD officers obtained a state search warrant for the location. Officers searched the residence and discovered a Glock 36 .45 pistol, bearing serial number VDN746. The Glock pistol was discovered next to **Benton**'s wallet with his Texas identification card and his cellular telephone.

5. On May 28, 2020, LPD officers were dispatched to an apartment in Lufkin, Texas, in regards to a burglary. The LPD officers met with the victim, Shaniqua Murphy. Murphy stated that her cousin, **Jadelfrick Benton**, had messaged her through Facebook at about 5:00 or 6:00 a.m. and asked where **Benton** could get a burner gun. Through my training and experience, the term burner gun is a firearm that could be used in an unlawful way and then burned or thrown away to prevent law enforcement from retrieving the firearm. Murphy stated she was not sure if **Benton** broke into her apartment, but did find it odd that her money was missing the same day that **Benton** was asking about a burner gun.
6. On June 1, 2020, **Jadelfrick Benton** met with LPD investigators at the Lufkin Police Department. **Benton** stated he purchased the Glock pistol recovered from his residence during the search warrant. **Benton** stated he purchased the Glock pistol from Keenan Larue for \$200 approximately three or four days before the shooting. **Benton** stated Trevion Skillern, who was associated with Larue, wanted another \$200 because the Glock was worth more than \$200. **Benton** stated he was not going to pay more for the pistol. **Benton** stated that is why the three or four black males came to his residence the night before the shooting (May 21, 2020). **Benton** finally agreed to pay the \$200 so he would not get shot or killed.
7. **Benton** said the next morning (May 22, 2020) at approximately 0300 hours, the black males returned to the residence. **Benton** stated Skillern, who was one of the black males, took out a pistol as Skillern was approaching the residence. **Benton** stated he then fought with Skillern over the pistol and admitted a few rounds did go off. **Benton** stated he did hit Skillern with the pistol. **Benton** stated Larue was also at the scene as well. **Benton** stated he then held Skillern at gunpoint for a short time but then started fighting with Skillern again. Skillern told the other black males to shoot **Benton** but they did not initially act. **Benton** started to lose his grip on the firearm and he slammed Skillern to the ground. **Benton** stated that was when Larue and another unknown black male fired their weapons until they were empty. **Benton** stated he believed Skillern was shot by one of the other subjects he was with. **Benton** stated he believed Skillern shot **Benton** in the hand. **Benton** stated he waited in the woods until daylight.
8. I contacted the Angelina County District Clerk's Office and received a certified copy of a judgment in a criminal case showing that **Jadelfrick Lumon Benton** was convicted of the felony offense of Engaging in Organized Criminal Activity in the 217th District Court of Angelina County, Texas, in Case Number 2015-0908, on November 6, 2017. On March 17, 2016, **Benton** was placed on deferred adjudication for a period of 4 years. On November 6, 2017, **Benton**'s deferred adjudication was revoked and he was sentenced to 13 months' confinement in the State Jail Division of the Texas Department of Criminal Justice Institutional Division. By serving a sentence in the state jail division of the Texas penitentiary, Benton would have known that he was convicted of a felony offense.
9. ATF Special Agent Craig Redden, who is an Interstate Nexus Expert, advised that the Glock

pistol was not manufactured in Texas and therefore traveled in or affected interstate commerce prior to being located and seized in the Eastern District of Texas.

I believe that there is probable cause to believe that **Jadelfrick Benton** committed a violation of Title 18, United States Code, Section 922(g)(1) and shall so be brought forth to answer such charges.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Jonathan Dickard, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

SUBSCRIBED AND SWORN to before me this 22 day of June, 2020.



Honorable John D. Love
United States Magistrate Judge
Eastern District of Texas